

In the Claims

A complete listing of all claims in the application follows:

1. (Currently Amended) A packaging container for integrated circuits comprising

a tray for holding integrated circuits, and

a tray cover, wherein the composition of the tray cover consists essentially of a plastic material, an electrostatic dissipating charge material, and a desiccating material for adsorbing moisture contained within the packaging container consisting essentially of a molecular sieve or molecular sieves.

2. (Original) The packaging container of Claim 1 further comprising a humidity indicator device secured to the tray cover, which indicator device determines a humidity level within the packaging container.

3. (Original) The packaging container of Claim 2 wherein the humidity indicator device is secured into an opening in the tray cover.

4. (Original) The packaging container of Claim 1 wherein the plastic material of the tray cover comprises a polypropylene.

5. (Original) The packaging container of Claim 2 wherein the humidity indicator device comprises a humidity indicator element and a system for securing the humidity indicator element to the tray cover.

6. through 8. (Canceled)

9. (Original) The packaging container of Claim 1 further comprising a water and moisture-proof barrier bag into which the tray is secured.

10. (Currently Amended) A packaging container for integrated circuits comprising

a tray for holding integrated circuits,

a tray cover, wherein the composition of the tray cover consists essentially of a plastic material, an electrostatic dissipating charge material, and a desiccating material for adsorbing moisture contained within the packaging container consisting essentially of a molecular sieve or molecular sieves,

a humidity indicator device secured to the tray cover for determining the humidity level within the packaging container; and

a moisture-proof barrier bag into which the tray and the tray cover are placed.

11. (Original) The packaging container of Claim 10 wherein the humidity indicator device is secured into an opening in the tray cover.

12. (Original) The packaging container of Claim 10 wherein the composition of the tray cover further comprises an anti-static material.

13. (Canceled)

14. (Original) The packaging container of Claim 10 wherein the humidity indicator device comprises a humidity indicator disk

and a system for securing the humidity indicator disk to the tray cover.

15. through 28. (Canceled)

29. (Previously presented) The packaging container of Claim 1 wherein the composition of the tray for holding integrated circuits does not contain a desiccating material.

30. (Previously presented) The packaging container of Claim 10 wherein the composition of the tray for holding integrated circuits does not contain a desiccating material.

31. (Previously presented) The packaging container of Claim 22 wherein the composition of the tray for holding integrated circuits does not contain a desiccating material.

32. (Currently amended) A packaging container for integrated circuits comprising

a tray for holding integrated circuits, and wherein the composition of the tray does not contain a desiccating material, and

a tray cover, wherein the composition of the tray cover comprises a plastic material, an electrostatic dissipating charge material, and a desiccating material for adsorbing moisture contained within the packaging container, wherein the ratio of the plastic material to the desiccating material is from about 50:40 to about 30:65 and wherein the desiccating material consists essentially of a molecular sieve or molecular sieves.

33. (Currently amended) The packaging container of Claim ~~33~~
32 further comprising a humidity indicator device secured to the
tray cover, which indicator device determines a humidity level
within the packaging container.

34. (Previously presented) The packaging container of Claim
33 wherein the humidity indicator device is secured into an opening
in the tray cover.

35. (Currently amended) The packaging container of Claim ~~33~~
32 wherein the plastic material of the tray cover comprises a
polypropylene.

36. (Previously presented) The packaging container of Claim
33 wherein the humidity indicator device comprises a humidity
indicator element and a system for securing the humidity indicator
element to the tray cover.

37. (Currently amended) The packaging container of Claim ~~33~~
32 further comprising a water and moisture-proof barrier bag into
which the tray is secured.

Discussion

The USPTO has rejected Claim 27 and 28 under 35 USC Section 112 as being indefinite. As these claims have been canceled this rejection has been rendered moot.

The USPTO has also rejected Claims 1, 4, 27, 29 and 32 under 35 USC Section 103 as being unpatentable over Pakeriasamy, U.S. Patent No. 5,857,573, in view of Shigeta, et. al., U.S. Patent No. 5,078,909. The USPTO has also rejected Claims 2, 3, 5 and 33 - 36 under 35 USC Section 103(a) as being unpatentable over Pakeriasamy, Shigeta, et. al., and further in view of Martin, et. al., U.S. Patent No. 5,875,892. Further, the USPTO has rejected Claims 9 - 12, 14, 30 and 37 under 35 USC Section 103 as being unpatentable based on the previously cited references and further in view of Kitamura, et. al., U.S. Patent No. 5,295,297. Based on the amendments to the claims and the arguments made in this Amendment, the applicants respectfully traverse these rejections.

The USPTO has also rejected Claims 22 through 28 under 35 USC Section 103 as being unpatentable over Pakeriasamy, in view of Lancesseur, U.S. Patent No. 5,432,214, alone or in combination with Martin, et. al., and Kitamura, et. al. As the applicants have canceled those claims, this rejection has been rendered moot.

The claims which are still at issue consist of Claims 1 - 5, 9 - 12, 14 and 29 - 37.

Analysis

All rejections of the remaining claims of the application are based on 35 USC Section 103. The applicants recognize that they cannot overcome these rejections merely by reviewing and distinguishing each reference individually. Rather, it is necessary to analysis the entire disclosure made by the combination of references. Notwithstanding, in this situation, it is appropriate to review the disclosure of the individual references to determine if any reference teaches a specific element of the claims. Specifically, the only reference cited against the remaining claims of the application which is alleged to teach the combination of a desiccating material with a thermoplastic material is Shigeta, et. al. No such disclosure is present, or asserted by the USPTO as being present, in Pakeriasamy, Kitamura, et. al. or Martin, et. al. Thus, if Shigeta, et. al. do not teach the composition of the tray cover of the invention, as claimed, then that composition is not taught by any of the references alone or in combination.

Shigeta, et. al. disclose a moisture absorbent composition comprising a thermoplastic resin blended with specific moisture adsorbing substances. The preferred composition also requires an indicator composition for showing colors changing in accordance with the rate of moisture absorbency. (See col. 1, lines 7 - 11 and 53 - 55, col. 3, lines 47 - 68, col. 4, lines 11 and 29 and col. 5, lines 9 - 60.) No such color changing indicator is a

required element in the composition of any claim of the application. As the scope of the composition of the tray cover of the claims, as amended, is limited based on the use of "consisting essentially of" language, the requirement of a color changing indicator in the composition of Shigeta, et. al. assists in distinguishing that reference from the remaining claims of the application.

More important in distinguishing Shigeta, et. al. is the requirement that the moisture adsorbent material in Shigeta, et. al. includes magnesium sulfate. Magnesium sulfate is a required component of each claim of Shigeta, et. al. (Col. 12, lines 21 - 60.) In addition, magnesium sulfate is included as the moisture absorbing element in each of Examples 1 - 5 and 7 - 15 of Shigeta, et. al. While Example 6 uses zeolite as opposed to magnesium sulfate to absorb moisture, the moisture absorbency tests in Tables 1 and 2 of Shigeta, et. al. teach that magnesium sulfate is a far superior moisture absorbent product and performed significantly better than zeolite in medium and high humidity levels. Thus, a person skilled in the art reviewing the disclosure of Shigeta, et. al. would be taught that superior moisture absorbent compositions are prepared only when magnesium sulfate is used as the moisture absorbency material in the plastic composition. That some person would be taught not to use a zeolite. Thus, when combining Shigeta, et. al. with any of the other cited references, a person

reviewing the disclosure in Shigeta, et. al. would be taught that magnesium sulfate is a required element and is certainly far superior to zeolite, especially in moderate to high moisture environments.

In contrast, the applicants have discovered that superior moisture absorbency is produced when a molecular sieve or molecular sieves are used as the moisture absorbent material which is added to the composition of the tray cover. Claim 1, for example, requires a composition that consists essentially of a plastic material, an electrostatic dissipating charge material and a desiccant material consisting essentially of a molecular sieve or molecular sieves. The use of a molecular sieve is not specifically disclosed in Shigeta, et. al. Based on the limiting language of the claims, the applicants respectfully assert that Shigeta, et. al. do not teach the tray cover, as now claimed. In fact, Shigeta, et. al. teach away from this composition by requiring the use of magnesium sulfate and asserting that magnesium sulfate performs better than zeolite for the absorbency of moisture. (The only other moisture absorbing materials that are even mentioned in Shigeta, et. al. are aluminum oxide, calcium oxide, silicon oxide, cobalt chloride and barium oxide, none of which are claimed by the applicants.)

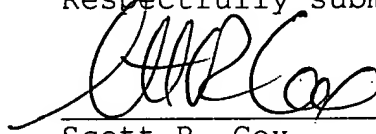
The applicants have specifically not discussed the teaching of the secondary references cited in the Office Action, namely

Pakeriasamy, Martin, et. al., and Kitamura, et. al. As stated above, the applicants accept that these references disclose certain elements of some of the claims of the application. However, as none of these references teach the specific composition of the tray cover, as claimed in the independent claims, none of these references need be discussed at this time. If Shigeta, et. al. fail to teach the composition of the tray cover, as claimed in the remaining claims of the application, then that composition is not taught by the combination of Shigeta, et. al. with any of these references, alone or in combination.

Conclusion

The applicants assert that the composition of the claims, as amended, is neither disclosed nor suggested by the combination of references cited in the Office Action and request that a Notice of Allowability be issued. If there are any questions concerning this matter, please contact applicants' counsel.

Respectfully submitted,



Scott R. Cox
Reg. No. 31,945
LYNCH, COX, GILMAN & MAHAN, P.S.C.
400 West Market Street, Suite 2200
Louisville, Kentucky 40202

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